

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

201

**CRM-M-55610-2018
Date of Decision : 18.02.2020**

Kamal Kishore

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, AAG Haryana
for the respondent-State.

JUSTICE ARUN KUMAR TYAGI, J. (ORAL)

The petitioner has filed present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to him in case FIR No.243 dated 02.09.2018 registered under Section 174-A of the Indian Penal Code, 1860 at Police Station Kheripul, Faridabad.

Learned Counsel for the petitioner has submitted that the petitioner was declared proclaimed person in Complaint Case No.5091 of 2014 titled 'Dharambir Vs. Kamal Kishore' filed under Section 138 of the Negotiable Instruments Act, 1881 in which the petitioner has been convicted and sentenced. The petitioner is ready to join the investigation in the present case and his custodial interrogation is not required in the case.

On the other hand, learned State Counsel has submitted that in view of nature of accusation and previous conduct, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case including the nature of accusation and also the fact that trial is likely to take long time and custodial interrogation of the petitioner is not required in the present case but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail.

Therefore, the petition is allowed and the petitioner is directed to join investigation by appearing before the SHO, Police Station Kheripul, Faridabad/Investigating Officer of the case within ten days. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall forfeit the benefit of interim bail allowed to them.

18.02.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No